

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

SHEILA R. JONES et al.,

Plaintiffs,

v.

BRUSH COUNTRY NURSING AND
REHABILITATION,

Defendant.

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1:24-CV-896-DII

ORDER

Before the Court is the report and recommendation from United States Magistrate Judge Mark Lane concerning Plaintiffs' Complaint pursuant to 28 U.S.C. § 1915(e), (Dkt. 1). (R. & R., Dkt. 5). Pursuant to 28 U.S.C. § 636(b) and Rule 1(d) of Appendix C of the Local Rules of the United States District Court for the Western District of Texas, Judge Lane issued his report and recommendation on September 16, 2024. (*Id.*). Plaintiffs filed objections to the report and recommendation on October 4, 2024. (Dkts. 7, 8).

A party may serve and file specific, written objections to a magistrate judge's findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure *de novo* review by the district court. 28 U.S.C. § 636(b)(1)(C). Because Plaintiffs objected to each portion of the report and recommendation, the Court reviews the report and recommendation *de novo*. Having done so and for the reasons given in the report and recommendation, the Court overrules Plaintiffs' objections and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the Report and Recommendation of the United States Magistrate Judge, (Dkt. 5), is **ADOPTED**. Plaintiffs' claims are **DISMISSED WITHOUT PREJUDICE**. The Court will enter final judgment by separate order.

IT IS FURTHER ORDERED that the Clerk's Office mail a copy of this Order to Plaintiffs via certified mail.

SIGNED on October 11, 2024.

A handwritten signature in blue ink, appearing to read "R. Pitman", is written above a horizontal line.

ROBERT PITMAN
UNITED STATES DISTRICT JUDGE